



Town of Huachuca City

The Sunset City

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ORDINANCE NO. 2018-08

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF HUACHUCA CITY, ARIZONA, AMENDING THE TOWN CODE, TITLE 2, CHAPTER 2.45 "PLANNING AND ZONING COMMISSION" SECTIONS 2.45.020 "MEMBERSHIP" AND 2.45.050 "MEETINGS," TO REDUCE THE NUMBER OF APPOINTED MEMBERS OF THE PLANNING AND ZONING COMMISSION FROM SEVEN TO FIVE.

WHEREAS, the Town Council of the Town of Huachuca City has adopted by Resolution No. 84-002 a code known as the Town Code of the Town of Huachuca City, Arizona [the "Code"], and has amended and republished the Code from time to time, as authorized by A.R.S. section 9-240 (B) (28); and

WHEREAS, pursuant to A.R.S. section 9-461.02, the Town Council has established a planning and zoning commission with seven members; and

WHEREAS, the Town Council wishes to amend the Code to reduce the number of planning and zoning commission members from seven to five; and

WHEREAS, as required by the Code, section 2-25-040, this Ordinance was first read at a public meeting of the Town Council on February 8, 2018, and at a subsequent meeting on February 22, 2018.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Huachuca City, Arizona, as follows:

SECTION 1. The Code, Chapter 2.45 "PLANNING AND ZONING COMMISSION," Section 2.45.020 "Membership," subsection (A), is amended as follows, with deletions in ~~strikethrough~~ and additions in underlined text:

A. The planning and zoning commission shall be composed of a total of ~~seven~~ five members, who shall be residents of the town. The members of the commission shall be appointed by the mayor and council subject to the approval of the council. One member shall be appointed from the membership of the board of adjustment and appeals as a liaison member without voting rights, and ~~seven~~ five members shall be appointed at large. Appointments to the commission shall be for a period of four years. The terms of members shall be staggered so that the terms of no more than ~~four~~ three members shall expire in any one year. In the event of death or resignation of a member, the vacancy may be filled for the unexpired term. The terms of all members shall extend until their

successors are qualified; provided, however, three successive unexcused or unexplained absences from any regular or special meeting shall be grounds for termination at the will and pleasure of the appointing authority without the necessity of a hearing or notice, and such action shall be final.

SECTION 2. The Code, Chapter 2.45 "PLANNING AND ZONING COMMISSION," Section 2.45.050 "Meetings," is amended as follows, with deletions in ~~strike through~~ and additions in underlined text:

The commission shall provide in its rules for its meetings³, provided, that special meetings may be called by the chairman or in his absence the vice-chairman. In addition, any ~~four~~ three members of the commission may make a written request to the chairman for a special meeting, and in the event such meeting is not called, such members may call such special meeting in such manner and form as may be provided in the commission rules.

SECTION 3. All ordinances, parts of ordinances, resolutions, parts of resolutions, policies, and parts of policies in conflict with the provisions of this Ordinance, or any part hereof, are hereby repealed.

SECTION 4. If any section, subsection or portion of this Ordinance is for any reason held to be invalid or unenforceable by the decision of a court of competent jurisdiction, such decision shall not affect the validity or enforceability of the remaining portions hereof.

SECTION 5. The Town Clerk is hereby directed, pursuant to the Code, section 2-25-080, to publish this Ordinance as required by A.R.S. 9-812 and 39-204.

PASSED AND ADOPTED BY THE MAYOR AND TOWN COUNCIL OF THE TOWN OF HUACHUCA CITY, COCHISE COUNTY, ARIZONA, THIS 22ND DAY OF FEBRUARY, 2018.


Kenneth Taylor, Mayor

ATTEST:


Jennifer Fuller, Town Clerk

Approved as to Form:


Thomas Benavidez, Town Attorney